

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	
SITE-SPECIFIC RULE FOR THE)	R13-19
CLOSURE OF AMEREN ENERGY)	(Rulemaking – Land)
RESOURCES ASH PONDS:)	
PROPOSED NEW 35 ILL. ADM.)	
CODE 840, SUBPART B)	

NOTICE OF FILING

To: ALL PARTIES ON THE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Illinois Pollution Control Board the attached **FOURTH QUARTERLY STATUS UPDATE**, copies of which are herewith served upon you.



Amy Antonioli

Dated: July 23, 2014

Renee Cipriano
Amy Antonioli
SCHIFF HARDIN LLP
233 South Wacker Drive
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Chicago, Illinois 60606
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter of:)	
)	
SITE-SPECIFIC RULE FOR THE)	R13-19
CLOSURE OF AMEREN COMPANY)	(Rulemaking – Land)
ASH PONDS: PROPOSED NEW 35)	
ILL. ADM. CODE 840, SUBPART B)	

FOURTH QUARTERLY STATUS UPDATE

NOW COME, AmerenEnergy Medina Valley Cogen, LLC (“Medina Valley”), and Illinois Power Resources, LLC (“IPR”), together by and through their attorneys, Schiff Hardin LLP, and pursuant to 35 Ill. Adm. Code 102.400 and 101.Subpart C. On July 25, 2013, the Illinois Pollution Control Board (“Board”) granted a request for a stay of this site-specific rulemaking during the development and pendency of a separate rulemaking proposal to be filed by the Illinois Environmental Protection Agency (“IEPA”). In that order, the Board directed the proponent to file quarterly status reports during the one-year term of the stay, describing the continued need for stay. The Board’s order also stated “[a]t the conclusion of the one-year stay, Ameren’s fourth status report may request an extension.” As it is approaching the expiration of one year since the Board’s July 25, 2013 order granting the stay, Medina Valley and IPR seek to extend the stay for an additional year.

On October 28, 2013 IEPA filed its proposal for a generally-applicable rule regarding groundwater monitoring, corrective action, and the closure of coal combustion waste surface impoundments at power generating facilities. *In the Matter of Coal Combustion Waste (CCW) Ash Ponds and Surface Impoundments at Power Generating Facilities: Proposed New 35 Ill. Adm. Code 841*, R14-10. To date, the Board has held six days of hearing with another day of hearing scheduled for July 24, 2014. Numerous substantive revisions to the rule have been filed

and IEPA moved the Board to sever the docket with respect to a subset of those issues. The Board has not yet ruled on that motion, nor has it adopted IEPA's proposal for first notice. Both IPR and Medina Valley continue to review the filings, testimony and developments in docket R14-10 and respectfully request that the Board extend the stay of this docket for an additional year or until such time as more certainty develops with respect to the state-wide rule.

Respectfully submitted,

Illinois Power Resources, LLC and AmerenEnergy
Medina Valley Cogen, LLC,

by:



Amy Antonioli

Dated: July 23, 2014

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CERTIFICATE OF SERVICE

I, the undersigned, certify that on this 23rd day of July, 2014, I have electronically served the attached **FOURTH QUARTERLY STATUS UPDATE**, upon the following persons:

John Therriault, Clerk of the Board
Tim Fox, Hearing Officer
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James R. Thompson Center
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and by first class mail, postage affixed, upon:

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